

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:21-CT-3124-FL

TYREE SHARIF NEWSAUN,
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Plaintiff,
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v.
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)
COLBY SHIRLEY and JOSHUA BORNS,
)
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Defendants.
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ORDER

This matter is before the court on plaintiff's motion for additional discovery (DE 22).

Defendants did not respond to the motion.

Plaintiff's motion is not the model of clarity. It appears plaintiff seeks to obtain the following items: 1) video of defendant Joshua Borns ("Borns") entering plaintiff's cell prior to assaulting plaintiff; 2) pictures taken of plaintiff after the alleged assault; and 3) information regarding Borns arrest record. (Pl.'s Mot. (DE 22) at 1). To the extent plaintiff intended to file a discovery request on the docket, plaintiff must serve such a request on defendants. The request should not be filed on the court's docket. See Fed. R. Civ. P. 34(a). To the extent plaintiff seeks to compel production of these items, he has failed to include the required certification that he attempted to confer with defendants prior to filing the motion. See Fed. R. Civ. P. 37(a)(1); Local

Civil Rule 7.1(c).

Accordingly, plaintiff's motion for additional discovery (DE 22) is DENIED.

SO ORDERED, this the 30th day of January, 2023.


LOUISE W. FLANAGAN
United States District Judge